



# County of San Diego

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JUL 22 2010

SAN DIEGO  
COUNTY GRAND JURY

July 13, 2010

The Honorable Kevin Enright  
Presiding Judge, San Diego Superior Court  
220 West Broadway  
San Diego, CA 92101

Dear Judge Enright,

On July 13, 2010, the County of San Diego Board of Supervisors approved responses to nine Grand Jury reports that addressed findings and recommendations to the County of San Diego. The Board further directed that these responses be sent to your office. The reports for which responses are attached are titled:

- Ethical Political Practices-Enforcement of Campaign and Lobbying Laws
- Transitional Age Youth: Navigating a Difficult Course to Independent Living
- Homeless in San Diego
- San Diego County Detention Facility Inspection Report
- Proposition 63 Mental Health Services Act
- The Substance Abuse Recovery Management System (SARMS)
- Ethics in Government- Code of Ethics, Internal Control, Fraud Hotlines
- Efficiency in Government-Managed Competition, Outsourcing, Reengineering and Reverse Auction Within San Diego County
- Medical Marijuana in San Diego

The Board is scheduled to consider the County's response to a 10th report titled "Eye Gnats in San Diego County" on August 3, 2010. That response will complete the County's obligations to the 2009-2010 Grand Jury and will be sent to you as soon as Board approval is obtained. If you have any questions, please contact me at (619) 531-5250.

Sincerely,

WALTER F. EKARD

Chief Administrative Officer

Attachment

cc: Board of Supervisors

**COUNTY OF SAN DIEGO**  
**RESPONSE TO 2009/10 GRAND JURY REPORT**  
**“Ethical Political Practices – Enforcement of Campaign and Lobbying Laws”**  
**Issued April 27, 2010**

**Finding #08:** The State Fair Political Practices Commission is not equipped to perform regular audits of County elections, does not have sufficient staff to investigate conflict of interest allegations against local officials, and does not enforce City and County lobbying laws.

**Response:** The County agrees that the State Fair Political Practices Commission (FPPC) does not enforce County lobbying laws but that is because authority to enforce County lobbying laws resides with the San Diego County District Attorney, per County Ordinance. Regarding whether the FPPC is sufficiently equipped or staffed to perform the other referenced activities, that is a matter of opinion and is not under the County’s purview.

**The 2009/2010 San Diego County Grand Jury recommends that the San Diego County Board of Supervisors:**

**Recommendation 10-06:** Consider the establishment of a County Fair Political Practices Board to monitor and enforce at the local level the County’s Election Campaign, Lobbying and Government Ethics Laws.

**Response:** This recommendation will not be implemented because there are already several government agencies that monitor and enforce campaign, lobbying and ethics laws at both the State and local level.

Within San Diego County, the FPPC has the authority to investigate and enforce State campaign and lobbying laws and the County Registrar of Voters, with whom candidates and officials must file State-mandated disclosure reports, regularly refers issues of non-compliance to the FPPC.

Second, County Ordinance designates and authorizes the San Diego County District Attorney to enforce County of San Diego campaign and lobbying ordinances, as well as other County ordinances that may be part of what the Grand Jury generically refers to as ethics laws. Additionally, other avenues that currently exist for monitoring and investigating local ethics laws include the County’s Office of Internal Affairs, which is empowered to investigate complaints alleging improper government activity which can include, but is not limited to, charges of unethical activity. Also, the County Civil Service Commission is authorized by the San Diego County Charter to enforce the County’s Civil Service Rules, as well as to investigate and to take enforcement action with respect to complaints alleging violations of discrimination laws. The enforcement of the civil service merit based system and discrimination laws may properly be characterized as including the enforcement of government ethics laws.

Given the multiple agencies that currently monitor, investigate and enforce State and County campaign, lobbying and ethics laws, it would be a waste of scarce taxpayers’ dollars to establish an unwarranted bureaucracy that duplicates the successful operation of these long-standing agencies.

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